

<p>6</p> <p>1 PROCEEDINGS</p> <p>2 THE VIDEOGRAPHER: This is the</p> <p>3 deposition of Rivelino Lopez, Dallas County</p> <p>4 Elections Administrator, in the matter of La Union</p> <p>5 Del Pueblo Entero, et al., vs. Gregory W. Abbott, et</p> <p>6 al.</p> <p>7 All our location is 500 Elm Street,</p> <p>8 Dallas, Texas.</p> <p>9 Today's date is April 13, 2023. The time</p> <p>10 is 9:15 a.m.</p> <p>11 My name is Kristen Geoffrion.</p> <p>12 Would all persons present please introduce</p> <p>13 themselves for the record.</p> <p>14 MS. PERALES: For the plaintiffs,</p> <p>15 LUPE, et al., Nina Perales.</p> <p>16 MR. STEWART: Michael Stewart for the</p> <p>17 United States.</p> <p>18 MS. HUNKER: Kathleen Hunker from the</p> <p>19 Office of the Texas Attorney General representing</p> <p>20 state defendants and individual legislators.</p> <p>21 MR. STOOL: Ben Stool from the</p> <p>22 Criminal District Attorney's Office of Dallas</p> <p>23 County, Texas, representing defendant Michael</p> <p>24 Scarpello, the elections administrator, Dallas,</p> <p>25 County, Texas.</p>	<p>8</p> <p>1 the ground rules since you are experienced.</p> <p>2 Do you understand that you're under oath?</p> <p>3 A. Yes.</p> <p>4 Q. Do you understand that the oath that you</p> <p>5 took today to tell the truth is the same as if you</p> <p>6 were in court telling the truth in front of a judge?</p> <p>7 A. Yes.</p> <p>8 Q. Is there anything today that would prevent</p> <p>9 you from giving me your full attention and</p> <p>10 responding accurately; for example, illness or</p> <p>11 taking any kind of medication that makes you fuzzy?</p> <p>12 A. No.</p> <p>13 Q. Okay. Thank you.</p> <p>14 Is there anything today that would prevent</p> <p>15 you from understanding my questions or answering</p> <p>16 them fully?</p> <p>17 A. No.</p> <p>18 Q. And if you recall, you can take a break at</p> <p>19 any time. This is your deposition. The only</p> <p>20 request that I make is that if you want to ask to</p> <p>21 take a break, that you answer whatever question may</p> <p>22 be out on the table before we take the break as</p> <p>23 opposed to letting the question be hanging while</p> <p>24 we're on the break. Is that okay?</p> <p>25 A. Yes.</p>
<p>7</p> <p>1 MR. SCHUETTE: Jason Schuette, Dallas</p> <p>2 County District Attorney's Office with Mr. Stool.</p> <p>3 THE WITNESS: Rivelino Lopez, Dallas</p> <p>4 County Elections Department, voter registration</p> <p>5 manager.</p> <p>6 RIVELINO LOPEZ,</p> <p>7 having been first duly sworn,</p> <p>8 testified as follows:</p> <p>9 EXAMINATION</p> <p>10 BY MS. PERALES:</p> <p>11 Q. You just took care of my first question.</p> <p>12 Good morning, Mr. Lopez.</p> <p>13 A. Good morning.</p> <p>14 Q. Now that you're sworn in, I'll have to ask</p> <p>15 you again.</p> <p>16 If you could, state your name for the</p> <p>17 record?</p> <p>18 A. Rivelino Lopez.</p> <p>19 Q. And I know you've had your deposition taken</p> <p>20 before because we did this, something similar last</p> <p>21 year. But I'll ask you, have you had your</p> <p>22 deposition taken since the last time you were in a</p> <p>23 deposition for this case?</p> <p>24 A. No.</p> <p>25 Q. Okay. So I'm going to go quickly through</p>	<p>9</p> <p>1 Q. Now, one of the lawyers here in the room</p> <p>2 may make an objection during the deposition, and,</p> <p>3 generally, when that happens, you're still going to</p> <p>4 go ahead and answer unless one of the lawyers</p> <p>5 instructs you not to answer. And if that happens,</p> <p>6 please don't answer, and we will sort out among</p> <p>7 ourselves what to do about that. Okay?</p> <p>8 A. Yes. Okay.</p> <p>9 Q. You're already very good at this, but I'll</p> <p>10 remind you to allow one speaker at a time. I will</p> <p>11 let you finish your answer before I ask my next</p> <p>12 question, and I'll ask for you to allow me to finish</p> <p>13 my question before you answer. Is that okay?</p> <p>14 A. Yes.</p> <p>15 Q. Thank you.</p> <p>16 Will you agree to be -- to make your</p> <p>17 answers out loud as opposed to nods or shrugs?</p> <p>18 A. Yes.</p> <p>19 Q. If you don't understand a question, please</p> <p>20 ask me to rephrase it.</p> <p>21 And with respect to information, I'm</p> <p>22 entitled to your best estimate, but I don't want you</p> <p>23 to guess. Is that all right?</p> <p>24 A. Yes.</p> <p>25 Q. Do you have any questions about this</p>

<p>10</p> <p>1 deposition before we begin?</p> <p>2 A. No.</p> <p>3 Q. Do you understand today that you're</p> <p>4 testifying as a representative of the Dallas County</p> <p>5 Elections Administrator office?</p> <p>6 A. Yes.</p> <p>7 Q. So when I say "you," will you understand</p> <p>8 that "you" means the Dallas County Elections</p> <p>9 Administrator office?</p> <p>10 A. Yes.</p> <p>11 Q. If I say "the County," will you understand</p> <p>12 that to mean Dallas County?</p> <p>13 A. Yes.</p> <p>14 Q. If I say "your office," will you understand</p> <p>15 that to mean the office of the Dallas County</p> <p>16 Elections Administrator?</p> <p>17 A. Yes.</p> <p>18 Q. I may use some terms interchangeably in</p> <p>19 today's deposition.</p> <p>20 If I use the terms "Latino" and</p> <p>21 "Hispanic," will you understand that to mean the</p> <p>22 same thing?</p> <p>23 A. Yes.</p> <p>24 Q. If I use the term "limited English</p> <p>25 proficient," will you agree with me that for the</p>	<p>12</p> <p>1 Q. Did you review any documents to prepare for</p> <p>2 the deposition?</p> <p>3 A. The questions that I was going to be</p> <p>4 responsible for.</p> <p>5 Q. Okay. Did you review any other materials</p> <p>6 besides the questions?</p> <p>7 A. No.</p> <p>8 Q. I'm sorry, I cut you off. I just wanted to</p> <p>9 make sure that we respected the privacy between you</p> <p>10 and Mr. Stool.</p> <p>11 A. Yeah, no problem.</p> <p>12 Q. Did you bring any materials with you today</p> <p>13 to the deposition?</p> <p>14 A. The questions that went over yesterday,</p> <p>15 yes.</p> <p>16 Q. Did you bring anything else: Reports,</p> <p>17 materials, notes, anything like that?</p> <p>18 A. No.</p> <p>19 (Exhibit No. 1 marked.)</p> <p>20 BY MS. PERALES:</p> <p>21 Q. Mr. Lopez, I'm handing you what has been</p> <p>22 marked Deposition Exhibit No. 1. Do you recognize</p> <p>23 this document? You may not have seen this document,</p> <p>24 but I'll represent to you that it's plaintiff's</p> <p>25 amended notice of Rule 30(b)(6) deposition of the</p>
<p>11</p> <p>1 purpose of this deposition, the term means that</p> <p>2 English is not that person's primary language and</p> <p>3 they have difficulty communicating effectively in</p> <p>4 English?</p> <p>5 A. Yes.</p> <p>6 Q. What steps did you take to prepare for the</p> <p>7 deposition today?</p> <p>8 A. I met with Mr. Stool yesterday. He just</p> <p>9 gave me a heads on --</p> <p>10 Q. Stop right there. It's okay just to say</p> <p>11 you met with Mr. Stool.</p> <p>12 A. Okay.</p> <p>13 Q. And because he's your lawyer for this</p> <p>14 deposition --</p> <p>15 A. Okay.</p> <p>16 Q. -- you're entitled to privacy in terms of</p> <p>17 what he said to you and what you said to him.</p> <p>18 A. Okay.</p> <p>19 Q. So we'll just leave it as you met with</p> <p>20 Mr. Stool. And I'll just ask you for about how much</p> <p>21 time did you meet with Mr. Stool?</p> <p>22 A. An hour.</p> <p>23 Q. Did you meet with anybody else to prepare</p> <p>24 for the deposition?</p> <p>25 A. No.</p>	<p>13</p> <p>1 Office of the Dallas County Elections Administrator.</p> <p>2 The reason it says "amended" is because we sent a</p> <p>3 new one yesterday with the correct room in it.</p> <p>4 Are you generally familiar with the notice</p> <p>5 of deposition for today's deposition?</p> <p>6 A. Generally, yes. I can't say that I've gone</p> <p>7 through it and read it word for word.</p> <p>8 Q. Okay. And I'm noticing now that Ms. Hunker</p> <p>9 wasn't the only person having printer challenges</p> <p>10 yesterday. This document was printed so that the</p> <p>11 flip is on the short side. So I'll just ask you to</p> <p>12 turn the pages that way.</p> <p>13 All right. I am going to go over with you</p> <p>14 the topics that I believe you are designated for in</p> <p>15 today's deposition just to make sure that we've got</p> <p>16 it right. Okay?</p> <p>17 A. Okay.</p> <p>18 Q. If you turn to page 9 of the exhibit, and</p> <p>19 you see Topic No. 29, sub B, "The means by which</p> <p>20 your office determined that each such person is not</p> <p>21 eligible to vote and registered to vote or voted in</p> <p>22 the election."</p> <p>23 Do you see that there?</p> <p>24 A. Yes.</p> <p>25 Q. Do you understand that you're designated to</p>

<p>14</p> <p>1 talk on that?</p> <p>2 A. Yes.</p> <p>3 Q. And then the topic after that, C, "Whether</p> <p>4 and when each such person was removed from the voter</p> <p>5 role."</p> <p>6 Do you understand that you're designated</p> <p>7 to speak on that topic?</p> <p>8 A. Yes.</p> <p>9 Q. And then topic 30, "Any changes in</p> <p>10 practice, policy or procedure of your office in</p> <p>11 response to Section 2.06 of SB1."</p> <p>12 Do you understand that you're designated</p> <p>13 to testify on that topic?</p> <p>14 A. Yes.</p> <p>15 Q. And then Topic 31, "Any changes in</p> <p>16 practice, policy or procedure of your office in</p> <p>17 response to Section 2.07 of SB1."</p> <p>18 Do you understand that you're designated</p> <p>19 to speak on that topic?</p> <p>20 A. Yes.</p> <p>21 Q. Are there any other topics on which you</p> <p>22 believe you are designated to testify?</p> <p>23 A. No.</p> <p>24 MR. STOOL: Well, I'm going to -- I</p> <p>25 think No. 28.</p>	<p>16</p> <p>1 A. Yes.</p> <p>2 Q. Since you were deposed last, have there</p> <p>3 been any changes in your duties as the voter</p> <p>4 registration manager?</p> <p>5 A. No. Same duties.</p> <p>6 (Exhibit No. 2 marked.)</p> <p>7 BY MS. PERALES:</p> <p>8 Q. I am handing you what has been marked</p> <p>9 Deposition Exhibit No. 2. And I will represent to</p> <p>10 you that this is the enrolled version of the statute</p> <p>11 that we know as SB1.</p> <p>12 A. Okay.</p> <p>13 Q. Okay. If you would, turn forward in the</p> <p>14 document to page 7. If you look at the second line</p> <p>15 from the top, it says, "Section 2.04." Do you see</p> <p>16 that there?</p> <p>17 A. Yes.</p> <p>18 Q. And there's some words that are struck out</p> <p>19 and there are some words that are underlined. Do</p> <p>20 you see that there?</p> <p>21 A. Yes.</p> <p>22 Q. And so you -- with the strikeout and the</p> <p>23 underline, it represents the changes that were made</p> <p>24 to the election code by SB1. And so in</p> <p>25 Section 2.04, you'll see that there are some changes</p>
<p>15</p> <p>1 MS. PERALES: Yes, that's right.</p> <p>2 BY MS. PERALES:</p> <p>3 Q. If you look at Topic No. 28 in your</p> <p>4 document, Mr. Lopez, "Any changes in practice,</p> <p>5 policy or procedure of your office in response to</p> <p>6 Section 2.04 of SB1."</p> <p>7 Do you understand that you're designated</p> <p>8 to testify on that topic?</p> <p>9 A. Yes.</p> <p>10 Q. Thank you.</p> <p>11 And then, finally, do you understand that</p> <p>12 you are testifying here today in this deposition</p> <p>13 pursuant to the notice that is Exhibit 1?</p> <p>14 A. Yes.</p> <p>15 Q. I would like to ask about any changes in</p> <p>16 your personal background since we last spoke about a</p> <p>17 year ago. Have you had any changes in the education</p> <p>18 that you've received? Like, any degrees or</p> <p>19 trainings that you've had or certifications?</p> <p>20 A. No.</p> <p>21 Q. And did you say that you're the voter</p> <p>22 registration manager?</p> <p>23 A. Yes.</p> <p>24 Q. And that is the same title that you held</p> <p>25 last year when you were deposed?</p>	<p>17</p> <p>1 made to the election code, Section 15.028. Do you</p> <p>2 see that there?</p> <p>3 A. Yes.</p> <p>4 Q. Do you understand that as a result of SB1's</p> <p>5 passage, that voter registrars, if they determine</p> <p>6 that a person who is not eligible to vote and</p> <p>7 registered to vote or voted in election shall</p> <p>8 deliver to the Attorney General, the Secretary of</p> <p>9 State and the County an affidavit stating those</p> <p>10 facts? Do you see that language there?</p> <p>11 A. Yes. Yes.</p> <p>12 Q. Has your office made any changes in its</p> <p>13 practices, policies or procedures related to this</p> <p>14 Section 2.04?</p> <p>15 MS. HUNKER: Objection; form.</p> <p>16 A. No.</p> <p>17 BY MS. PERALES:</p> <p>18 Q. Have you delivered any affidavits to the</p> <p>19 Attorney General, Secretary of State and County or</p> <p>20 district attorney under Section 2.04 of SB1?</p> <p>21 A. No.</p> <p>22 Q. Does your office have a procedure for how</p> <p>23 to respond if you find out that an individual is</p> <p>24 registered to vote but should not be registered to</p> <p>25 vote?</p>

<p>18</p> <p>1 A. Yes, we follow the Texas Election Code.</p> <p>2 Q. Okay. And can you describe that procedure</p> <p>3 for me?</p> <p>4 A. If we find out -- if they're already</p> <p>5 registered and we find out, for whatever reason</p> <p>6 they're not eligible, we'll have to submit something</p> <p>7 in writing, an affidavit, let the attorneys know,</p> <p>8 and they would proceed with -- you know, we give</p> <p>9 them all the evidence, hey, this is what we see, and</p> <p>10 then we would follow what the attorneys say as far</p> <p>11 as, okay, they need to be removed or, you know, what</p> <p>12 the -- what the process is next. So. . .</p> <p>13 Q. In your experience, is it the case that</p> <p>14 from time to time somebody is registered to vote by</p> <p>15 accident or inadvertently and they didn't mean to</p> <p>16 register to vote and they're ineligible?</p> <p>17 A. There have been times where the voter has</p> <p>18 actually notified us, said for whatever reason they</p> <p>19 filled out an application, they got registered.</p> <p>20 They may say, "I'm not a citizen, please remove me</p> <p>21 from the voter rolls," and we remove them</p> <p>22 immediately.</p> <p>23 Q. And do you deliver any information about</p> <p>24 that voter, then, to your attorneys?</p> <p>25 A. Not on those. We send a cancellation that</p>	<p>20</p> <p>1 Q. And have you ever had an interaction with a</p> <p>2 voter requesting cancellation who explained how they</p> <p>3 came to be registered to vote inadvertently?</p> <p>4 A. Yeah. In the example I said, they -- they</p> <p>5 got registered, say, as a high school student and</p> <p>6 didn't realize they need to be -- they're a resident</p> <p>7 and not a citizen or something like that, and they</p> <p>8 say, "I was just registering with my other students,</p> <p>9 my classmates. Please remove me." Or something</p> <p>10 like that.</p> <p>11 Q. Okay. Have you ever had anyone request</p> <p>12 cancellation because they registered to vote in</p> <p>13 Dallas but they were already registered to vote</p> <p>14 somewhere else and they were not a Dallas resident?</p> <p>15 A. Yes. We have voters that request to be</p> <p>16 canceled because they no longer live in Dallas, yes.</p> <p>17 Q. If you would, turn forward in this Exhibit</p> <p>18 No. 2, SB1, and look with me to the bottom of page 8</p> <p>19 where it starts with Section 2.06, and then it flows</p> <p>20 up onto page 9. And all of that -- do you see all</p> <p>21 of that, the underlined language there?</p> <p>22 A. Yes.</p> <p>23 Q. Are you aware that SB1 added a process for</p> <p>24 the Secretary of State to take action against voter</p> <p>25 registrars for failure to follow certain list</p>
<p>19</p> <p>1 they've been canceled to the voter.</p> <p>2 Q. So that's basically in response to the</p> <p>3 voter requesting a cancellation?</p> <p>4 A. Correct.</p> <p>5 Q. Have you ever through interactions with</p> <p>6 voters learned that somebody registered to vote by</p> <p>7 accident?</p> <p>8 A. How do you mean "by accident"?</p> <p>9 Q. Have you ever come to learn that a voter</p> <p>10 registered to vote, for example, at the motor</p> <p>11 vehicles office but they did not realize that they</p> <p>12 were registering to vote and then they find out</p> <p>13 later?</p> <p>14 A. I don't believe so, because, I mean, that</p> <p>15 question is asked at the DMV, and they have a</p> <p>16 checkbox if they want to answer. So I don't believe</p> <p>17 there's been any instances.</p> <p>18 Q. Are you familiar with any other situations</p> <p>19 where an individual who is not eligible to register</p> <p>20 registered to vote by accident or inadvertently?</p> <p>21 A. Not for us because if they're sending in an</p> <p>22 case, we're just processing that application. So if</p> <p>23 they tell us -- you know, they check all the right</p> <p>24 boxes and they fill it out completely, we're going</p> <p>25 to process it. So we wouldn't know.</p>	<p>21</p> <p>1 maintenance practices?</p> <p>2 A. Yes.</p> <p>3 MR. STOOL: Nina, it's not an</p> <p>4 objection. I just got an e-mail from Lisa Cubriel,</p> <p>5 there's a bad echo on the Zoom. I don't know how to</p> <p>6 fix that. I just was notified of it, is all.</p> <p>7 MS. PERALES: Are you muted?</p> <p>8 MR. STEWART: I am muted.</p> <p>9 MS. PERALES: Is anybody else here in</p> <p>10 the Zoom? I am not.</p> <p>11 MR. STOOL: I am. Let me make sure</p> <p>12 I'm muted. Oh, it may be my fault. Excuse me for</p> <p>13 interrupting.</p> <p>14 MS. PERALES: No, I'm glad we got that</p> <p>15 worked out. Gives the witness a break too.</p> <p>16 BY MS. PERALES:</p> <p>17 Q. So if we look together at page 9, you'll</p> <p>18 notice that on line 5 it provides that the Secretary</p> <p>19 of State can require the registrar to attend a</p> <p>20 training course.</p> <p>21 Do you know if the Secretary of State has</p> <p>22 required your office to attend a training course</p> <p>23 under this provision?</p> <p>24 A. No.</p> <p>25 Q. Do you know if the Secretary of State has</p>

<p>22</p> <p>1 audited the voter registration list for Dallas</p> <p>2 County to determine actions needed to achieve</p> <p>3 substantial compliance?</p> <p>4 A. No.</p> <p>5 Q. Do you know if the Secretary of State has</p> <p>6 reported Dallas County to the Attorney General for</p> <p>7 being out of compliance with this provision?</p> <p>8 A. No.</p> <p>9 Q. Do you know if Dallas County has been</p> <p>10 assessed a civil penalty of \$1,000 per day for</p> <p>11 failure to perform list maintenance activities under</p> <p>12 this section?</p> <p>13 A. No.</p> <p>14 Q. Do you know if your office has made any</p> <p>15 changes in its policies or practices to make sure</p> <p>16 that it complies with these list maintenance</p> <p>17 obligations?</p> <p>18 A. No changes.</p> <p>19 Q. Okay. Do you receive information from your</p> <p>20 jury clerk about jurors who are excused from jury --</p> <p>21 let me try that again.</p> <p>22 Do you receive information from your jury</p> <p>23 clerk about individuals who are excused from jury</p> <p>24 duty because they don't live in Dallas County?</p> <p>25 A. Yes.</p>	<p>24</p> <p>1 that person being excused from jury duty because</p> <p>2 they're not a resident?</p> <p>3 A. At least ten years. It's been a while.</p> <p>4 It's been the same practice for a while, yeah.</p> <p>5 Q. Is it possible that an individual could be</p> <p>6 permanently living in Dallas County but they would</p> <p>7 be excused from jury duty for not being in Dallas</p> <p>8 County, for example, because they are away at</p> <p>9 college?</p> <p>10 MS. HUNKER: Objection; form.</p> <p>11 A. You said is it possible?</p> <p>12 BY MS. PERALES:</p> <p>13 Q. Yes.</p> <p>14 A. Yes.</p> <p>15 Q. Have you ever seen that happen in your</p> <p>16 office's experience?</p> <p>17 A. I don't think I've seen it, because if</p> <p>18 they're on the list, then we're going to send a</p> <p>19 confirmation, and they would need to reply to the</p> <p>20 confirmation.</p> <p>21 Q. Same thing for somebody who might be living</p> <p>22 away from Dallas County to care for a sick parent</p> <p>23 for perhaps several months, that could also happen</p> <p>24 where they would get excused from jury duty for not</p> <p>25 being in the county, correct?</p>
<p>23</p> <p>1 Q. And what do you do with that information?</p> <p>2 A. We work them. We have to work them. They</p> <p>3 come each month, and we send out a confirmation</p> <p>4 notice. And if they don't respond within 30 days of</p> <p>5 the confirmation notice, they go into a suspense</p> <p>6 status.</p> <p>7 Q. And how long do they stay on suspense?</p> <p>8 A. If they don't update their record and two</p> <p>9 federal elections pass, they -- they'll get purged.</p> <p>10 Q. Okay. So in addition to getting that type</p> <p>11 of information from your jury clerk, do you also get</p> <p>12 that information from the Secretary of State?</p> <p>13 A. Yes.</p> <p>14 Q. And do you use the same process with the</p> <p>15 information that you get from the Secretary of State</p> <p>16 where you send the individual a confirmation notice?</p> <p>17 A. Yes.</p> <p>18 Q. Have you seen people respond to the</p> <p>19 confirmation notice and say, yes, I am still a</p> <p>20 resident of Dallas County?</p> <p>21 A. Rarely they do. But most of them have</p> <p>22 already moved, yes.</p> <p>23 Q. And so how long have you been doing this</p> <p>24 practice of sending confirmation notices to people</p> <p>25 for whom the jury clerk sends you information about</p>	<p>25</p> <p>1 A. Correct.</p> <p>2 Q. But you would still send that person a</p> <p>3 confirmation notice to their Dallas address?</p> <p>4 A. Correct. Yes.</p> <p>5 MS. PERALES: Can we go off the record</p> <p>6 for a second?</p> <p>7 THE VIDEOGRAPHER: We're off the</p> <p>8 record. The time is 9:50 a.m.</p> <p>9 (Break taken, 9:50 a.m. to 9:55 a.m.)</p> <p>10 THE VIDEOGRAPHER: We're back on the</p> <p>11 record. The time is 9:55 a.m.</p> <p>12 BY MS. PERALES:</p> <p>13 Q. Mr. Lopez, I wanted to ask you a few</p> <p>14 questions related to questions that you answered in</p> <p>15 your last deposition. And I will state for the</p> <p>16 record that you have not been designated on these</p> <p>17 topics, which are Topic 13F, as in "Frank," Topic 14</p> <p>18 in certain aspects, and Topic 27. But you did have</p> <p>19 some information about those topics in your last</p> <p>20 deposition, and so I would like to ask you a few</p> <p>21 questions.</p> <p>22 A. Okay.</p> <p>23 Q. If you don't know the answer, please just</p> <p>24 tell me and I'll ask somebody else those same</p> <p>25 questions. Okay?</p>

<p>26</p> <p>1 A. Okay.</p> <p>2 MS. PERALES: Mr. Stool, did you want</p> <p>3 to make any statement on the record? Or</p> <p>4 Mr. Schuette?</p> <p>5 MR. STOOL: I don't think so.</p> <p>6 MS. PERALES: Okay. Thank you.</p> <p>7 MR. STOOL: I think -- I think you've</p> <p>8 covered it. It's just that he was not designated to</p> <p>9 speak on those topics. Okay.</p> <p>10 BY MS. PERALES:</p> <p>11 Q. Mr. Lopez, for the 2022 general election,</p> <p>12 do you know how many voters in Dallas County had one</p> <p>13 ID number in the -- in your system but not two ID</p> <p>14 numbers in your system?</p> <p>15 A. I do not.</p> <p>16 Q. Do you know how many vote centers Dallas</p> <p>17 County operated in the 2022 general election?</p> <p>18 A. I do not.</p> <p>19 Q. In your last deposition, you testified that</p> <p>20 the e-pollbook kept information about voters who</p> <p>21 voted in person in the polling place and either used</p> <p>22 an interpreter or used an assister, for example, for</p> <p>23 physical disability. Do you remember that</p> <p>24 testimony?</p> <p>25 A. Yes.</p>	<p>28</p> <p>1 interpreter to vote at the polls?</p> <p>2 A. Yes.</p> <p>3 Q. And the ExpressPoll Connect software would</p> <p>4 tell us how many voters in the 2022 general election</p> <p>5 used an assister or used voter assistance; is that</p> <p>6 correct?</p> <p>7 A. Yes.</p> <p>8 Q. Do you know if those reports were produced</p> <p>9 in this case to us?</p> <p>10 A. They were not.</p> <p>11 MS. PERALES: Okay. I'll say that I</p> <p>12 believe it falls under the document production</p> <p>13 obligations of Dallas County to produce those</p> <p>14 reports. So. . .</p> <p>15 MR. STOOL: State again -- could you</p> <p>16 state again exactly which -- because I thought they</p> <p>17 were. Could you state again which --</p> <p>18 MS. PERALES: Well, we'll follow up</p> <p>19 after the deposition.</p> <p>20 MR. STOOL: All right.</p> <p>21 MS. PERALES: But I'll just say for</p> <p>22 the -- for the record, we will want to make sure</p> <p>23 that we received those reports for the 2022 general</p> <p>24 election.</p> <p>25 MR. STOOL: And which reports?</p>
<p>27</p> <p>1 Q. Okay. Are you familiar with the e-pollbook</p> <p>2 system and how poll workers use it at the polling</p> <p>3 place?</p> <p>4 A. Yes.</p> <p>5 Q. Do you train poll workers on using the</p> <p>6 e-pollbook?</p> <p>7 A. I do not.</p> <p>8 Q. Do you know the -- whether the e-pollbook</p> <p>9 has a screen for the poll worker to check a box that</p> <p>10 the voter is using an interpreter?</p> <p>11 A. Yes.</p> <p>12 Q. And are you aware whether the -- and does</p> <p>13 it have a box for the poll worker to check that a</p> <p>14 voter is using an interpreter?</p> <p>15 A. Yes.</p> <p>16 Q. And are you aware that the e-pollbook also</p> <p>17 has a box for the poll worker to check if the voter</p> <p>18 is using voter assistance?</p> <p>19 A. Yes.</p> <p>20 Q. How many Dallas County polling places in</p> <p>21 the 2022 general election used the e-pollbook?</p> <p>22 A. All of them.</p> <p>23 Q. So would it be fair to say, then, that the</p> <p>24 ExpressPoll Connect software could tell us how many</p> <p>25 voters in the 2022 general election used an</p>	<p>29</p> <p>1 MS. PERALES: They are reports from</p> <p>2 ExpressPoll Connect, which I understand is your</p> <p>3 e-pollbook software.</p> <p>4 MR. STOOL: That state?</p> <p>5 MS. PERALES: That can generate</p> <p>6 reports on voters who used an interpreter and voters</p> <p>7 who used voter assistance.</p> <p>8 MR. STOOL: Okay.</p> <p>9 BY MS. PERALES:</p> <p>10 Q. My last question for you has to do with</p> <p>11 voter registration outreach. Do you still have an</p> <p>12 individual called the outreach coordinator?</p> <p>13 A. We do.</p> <p>14 Q. And what is that person's name?</p> <p>15 A. Esmeralda Garcia.</p> <p>16 Q. Okay. Is she the same person who was the</p> <p>17 outreach coordinator the last time we spoke back in</p> <p>18 2022?</p> <p>19 A. Yes.</p> <p>20 Q. Okay. You mentioned that Ms. Garcia and</p> <p>21 that your office in the past had attended</p> <p>22 naturalization ceremonies to offer in-person voter</p> <p>23 registration. Do you recall that testimony?</p> <p>24 A. Yes.</p> <p>25 Q. Does your office still do that?</p>

<p>30</p> <p>1 A. Yes.</p> <p>2 Q. For the time period since last May 2022, do</p> <p>3 you know approximately how many naturalization</p> <p>4 ceremonies your office has attended to offer voter</p> <p>5 registration?</p> <p>6 A. I do not.</p> <p>7 Q. I want to thank you for your time today.</p> <p>8 I'm not the only person who is going to ask you</p> <p>9 questions, but I think I'm done. So thank you.</p> <p>10 MS. PERALES: And I pass the witness.</p> <p>11 Do you want to take a break or keep going?</p> <p>12 MR. STEWART: We can keep going. Do I</p> <p>13 put the mic on? Let's go off the record for one</p> <p>14 minute while I . . .</p> <p>15 THE VIDEOGRAPHER: We're off the</p> <p>16 record. The time is 10:02 a.m.</p> <p>17 (Break taken, 10:02 a.m. to 10:03 a.m.)</p> <p>18 THE VIDEOGRAPHER: We're back on the</p> <p>19 record. The time is 10:03.</p> <p>20 EXAMINATION</p> <p>21 BY MR. STEWART:</p> <p>22 Q. Thanks, Mr. Lopez. I'm Mike Stewart for</p> <p>23 the United States. I just have some very brief</p> <p>24 questions for you.</p> <p>25 Does your office ever receive registration</p>	<p>32</p> <p>1 the microphone.</p> <p>2 BY MS. HUNKER:</p> <p>3 Q. My name is Kathleen Hunker with the State.</p> <p>4 It's good to see you again. I have very few</p> <p>5 questions for you.</p> <p>6 Do you recall discussing with counsel</p> <p>7 about voters who may have accidentally registered to</p> <p>8 vote?</p> <p>9 A. Yes.</p> <p>10 Q. In the case of a high school student who</p> <p>11 accidentally registered to vote with their class but</p> <p>12 was not eligible, you're not aware of any of these</p> <p>13 students being prosecuted for being registered; is</p> <p>14 that correct?</p> <p>15 A. Correct.</p> <p>16 Q. In the case of a voter informing you that</p> <p>17 they're no longer a resident of Dallas County but</p> <p>18 are still registered to vote in Dallas County,</p> <p>19 you're not aware of any of these voters facing</p> <p>20 prosecution for being registered to vote in Dallas</p> <p>21 County; is that correct?</p> <p>22 A. Correct.</p> <p>23 Q. And you're not aware of any voter facing</p> <p>24 prosecution for otherwise being accidentally</p> <p>25 registered to vote in Dallas County; is that</p>
<p>31</p> <p>1 forms or registration requests from voters who are</p> <p>2 already registered to vote?</p> <p>3 A. Yes.</p> <p>4 Q. How do you handle those?</p> <p>5 A. We still process them as duplicate in our</p> <p>6 system, and they would get a new voter registration</p> <p>7 application -- I mean, registration certificate.</p> <p>8 Q. But will it be the same record in your</p> <p>9 voter registration database?</p> <p>10 A. Yes.</p> <p>11 Q. Is there a date or deadline before a given</p> <p>12 election that you will not process those for the</p> <p>13 upcoming election?</p> <p>14 A. No.</p> <p>15 Q. Okay. Thank you.</p> <p>16 MR. STEWART: I'll pass the witness.</p> <p>17 MS. HUNKER: Are there any plaintiffs</p> <p>18 on the Zoom who want to ask questions of the</p> <p>19 witness?</p> <p>20 EXAMINATION</p> <p>21 BY MS. HUNKER:</p> <p>22 Q. In that case, good morning, Mr. Lopez.</p> <p>23 A. Good morning.</p> <p>24 Q. My name is --</p> <p>25 THE VIDEOGRAPHER: If you'll also get</p>	<p>33</p> <p>1 correct?</p> <p>2 A. Correct.</p> <p>3 MS. PERALES: Before you answer, I</p> <p>4 just want to object for the purpose of the record</p> <p>5 that the witness is not designated on the topic of</p> <p>6 who is being prosecuted -- or the office's awareness</p> <p>7 of who's being prosecuted.</p> <p>8 BY MS. HUNKER:</p> <p>9 Q. Which sub-office are you in within the</p> <p>10 office of election administrator?</p> <p>11 A. Voter registration.</p> <p>12 Q. And has the county attorney or county</p> <p>13 district attorney ever contacted your specific</p> <p>14 office about any prosecutions that were being</p> <p>15 considered regarding a voter who was accidentally</p> <p>16 registered to vote?</p> <p>17 A. No.</p> <p>18 MS. HUNKER: No further questions.</p> <p>19 MS. PERALES: None here.</p> <p>20 MR. STOOL: I don't have any</p> <p>21 questions. So if there's -- is there anybody on the</p> <p>22 Zoom? Are we through with Mr. Lopez?</p> <p>23 MS. PERALES: I believe we are. Shall</p> <p>24 we go off the record?</p> <p>25 THE VIDEOGRAPHER: This will conclude</p>